

misc

December 14, 1962

Honorable Barefoot Sanders
United States Attorney
P. O. Box 153
Dallas 1, Texas

Dear Barefoot:

Congratulations. This is the
first time anyone has persuaded a state
to hold one of its own statutes un-
constitutional.

Best regards,

Burke Marshall

misc.

December 10, 1962

Mr. Martin Wagner, Chairman
Selection Committee
Rhodes Scholarships
504 East Armory Avenue
Champaign, Illinois

Dear Mr. Wagner:

I am very sorry to have been delayed in responding to your request for my judgment as to the qualifications of Spencer Jourdain for a Rhodes scholarship.

It is a matter of regret that I have not had a greater chance to see Mr. Jourdain in action. The circumstances under which I have made his acquaintance are set forth in Mr. John Doar's letter to you of December 8. He was highly recommended to me by Senator Douglas, and everything that I have seen of him confirms the judgment that he is a most exceptional young man.

My judgment is, of course, based upon limited acquaintanceship, and not upon any opportunity to have supervised any work, or to have studied any of Mr. Jourdain's writings.

I should like to take the liberty of adding that I believe it would be of great benefit to this country to have Mr. Jourdain sent abroad under circumstances which would generally be taken to classify him as an outstanding representative of young American citizens. I recognize that this may not be a relevant criteria under your standards. But I think that the appointment of a Negro as a Rhodes scholar in itself would be of great benefit to the United States, and that this is particularly true when the man in question is of such obvious attractiveness and intelligence.

Very truly yours,

Butte Marshall
Assistant Attorney General
Civil Rights Division

misc.

December 10, 1962

Honorable Lawrence Gubow
United States Attorney
813 Federal Building
Detroit 26, Michigan

Dear Mr. Gubow:

Following our telephone conversation on Friday, this is to confirm our appointment with you and Commissioner Edwards for Tuesday, January 15th, at 2:30 P.M.

Please let us know if there is any change from your end.

Sincerely,

(Mrs.) Linda K. Stores
Secretary to Mr. Marshall

Miss

December 10, 1962

Mr. Harold C. Fleming
Executive Vice President
The Potomac Institute, Inc.
1501 Eighteenth Street, N. W.
Washington, D. C.

Dear Harold:

Either Nick or I or, hopefully,
both, will be there on the 17th.

Best regards,

Burke Marshall

THE POTOMAC INSTITUTE, INC.

1801 EIGHTEENTH STREET, N.W. • WASHINGTON 6, D.C. • DECATUR 2-5500

HAROLD C. FLEMING
EXECUTIVE VICE-PRESIDENT

December 7, 1962

The Honorable Burke Marshall
Department of Justice
Washington 25, D. C.

Dear Burke:

You will have had Lloyd Garrison's letter concerning the meeting of December 17 on problems of legal representation in the South. We are convening here at the Institute at 9:45 a.m. and plan to continue through lunch, which we will have in a private dining room at the Dupont Plaza Hotel, beginning about 12:45. I have written Nick Katzenbach, reiterating Lloyd's hope that he and you can be with us for the whole meeting or, if not, at the beginning and the luncheon.

I hope you have recovered from your bout of flu (I am still struggling in the aftermath of one) and I will be looking forward hopefully to seeing you on the 17th if not sooner.

Cordially,

Harold
Harold C. Fleming
Executive Vice President

HCF:EMA

*Don Harold:
Either Nick or I,
hopefully, both with &
there on the 17th.
Best regards,*

miss.

December 6, 1962

MEMO TO RICHARD DONAHUE:

Sorry to be late with attached
form, which I think will be satis-
factory. Obviously there may be
minor variations from state to
state.

BM

Enclosure

DEPARTMENT OF JUSTICE
ROUTING : JP

TO	
NAME	BUILDING AND ROOM
Mr. Marshall	

<input type="checkbox"/> SIGNATURE	<input type="checkbox"/> COMMENT	<input type="checkbox"/> PER CONVERSATION
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<input type="checkbox"/> SEE ME	<input type="checkbox"/> NOTE AND RETURN	<input type="checkbox"/> NOTE AND FILE
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<input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____		
<input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____		

REMARKS

This is the form of ratification
resolution re: Poll Tax Amendment.

h
HFC

Linda:
See to Dick Drouin in
White House:
Sorry to be late with attached
form, which I think will be
satisfactory. Obviously this may be
an overture for State Sec.

FROM NAME	BUILDING, ROOM, EXT.	DATE
HH Greens	Intelligence	Obiously this may be an overture for State Sec.

miss

December 6, 1962

The Honorable James O. Eastland
United States Senator
Ruleville, Mississippi

Dear Senator:

In accordance with our telephone conversation of this morning, I am enclosing a photographic copy of the letter of October 11 and the resolution by the Mississippi Legislature, which were referred to in my letter to you of November 30. I think the confusion resulted from the fact that the other members of the United States Congress from the State of Mississippi joined you in the letter.

Please let me know if I can be of any further assistance.

Very truly yours,

Burke Marshall

Enclosure
Air Mail Special

*chron.
Misc*

December 6, 1962

Mrs. Lawrence Coe
Commissioner
Board of Education
317 Poplar Avenue
Memphis 3, Tennessee

Dear Mrs. Coe:

Thank you for your letter.
Secretary Hodges is out of the country,
but I will see that your views, and the
invitation, receive full consideration
in the light of what will unquestionably
be a very heavy schedule.

Regards,

Burke Marshall

BCC: Mr. Hyman Bookbinder

0 0 *Miss.*

HERBERT WECHSLER
THE LAW SCHOOL, COLUMBIA UNIVERSITY
NEW YORK 27, N.Y.

December 3, 1962

Honorable Burke Marshall
Assistant Attorney General
Department of Justice
Washington, D.C.

Dear Mr. Marshall:

Thank you for your note of the 28th about the New York Times petition. I am grateful to you for giving the question your attention.

With cordial regard, I am,

Faithfully,

Herbert Wechsler
Herbert Wechsler

misc.

UNITED STATES GOVERNMENT

Memorandum

TO : Burke Marshall
Assistant Attorney General
Civil Rights Division

DATE: November 29, 1962

FROM : *[Signature]* St. John Barrett
Second Assistant

SJB:llh

SUBJECT:

I telephoned Reverend Jelks in Baton Rouge this afternoon in response to his phone call to you. I also spoke to his attorney, Johnny Jones.

The trial of Reverend Elton Cox before Judge LeBlanc was in progress at the time of our phone conversation. Three Negro women, Miss Pearl George, Mrs. Willie Lee Harris and Mrs. Laura Harris, had entered the courtroom as spectators and sought to sit on the side of the center aisle reserved for whites. The bailiff asked them to move to the other side and when they refused Judge LeBlanc summarily held them in contempt to court and sentenced each to spend ten days in jail and to pay a fine of \$100.00. If the \$100.00 fine is not paid an additional 30 days will be added to the jail sentence.

Two Negro boys who sought service in the courthouse cafeteria were also arrested but were released without charge after being removed from the building.

Mr. Jones is presently preparing a petition for writ of habeas corpus for the three women and plans to present it to United States District Judge Gordon West this afternoon.

Both Reverend Jelks and Mr. Jones inquired whether the Department could take any legal action. Mr. Jones specifically asked whether I could telephone Judge West in connection with his petition for habeas corpus. I told him I could not make such a phone call and I did not see any basis for this Department participating in the court proceedings.

Reverend Jelks and Mr. Jones said they would keep us advised of further developments.

0 0 File
November 27, 1962 Misc.

MEMORANDUM FOR MR. MARSHALL

Re: United Services Organization,
Inc. (USO)

United Services Organization, Inc. (USO), a non-profit organization, is, by the terms of its by-laws, a voluntary civilian agency "responsible to the President of the United States and the Secretary of Defense" and serves the religious, spiritual, social, welfare and educational needs of the men and women in the Armed Forces within and without the United States. Member organizations are the YMCA, YWCA, National Catholic Community Services, National Jewish Welfare Board, Salvation Army and National Travelers Aid. President Kennedy is Honorary Chairman.

The Federal Government is involved in the USO in the following ways:

1. The President of the United States appoints nine members of the corporation, nominates six persons for membership to the board of governors and permits his office to be used for fund-raising purposes.
2. The Assistant Secretary of Defense (Manpower) and the Chairman of the Armed Forces Chaplain Board serve as members of the board of governors.

3. Article 3, section 1 of the USO by-laws states that the USO is responsible to the President of the United States and the Secretary of Defense in carrying forward the purpose of the organization.

4. The USO has a November 28, 1960 Memorandum of Understanding with the Department of Defense, which indicates, in part, that the USO was established with the approval of, accepts assignments of responsibility from and reports to, the President of the United States and the Secretary of Defense and that the USO will consult with the Department of Defense as to the establishment and closing of USO clubs. The memorandum also indicates that military commanders are to maintain a continuing review of local USO facilities.

USO clubs are 90 percent financed through national fund-raising campaigns collected at the local level, such as the UGF and Community Chest. The additional 10-percent funds come from voluntary contributions and USO investments. No funds come from the Federal Government.

There are 139 USO clubs in the United States. Of these, 22 exclude whites and 22 exclude Negroes. Most of these 44 clubs are located in Florida, Georgia, Mississippi, South Carolina and Virginia. Over and above these 44 clubs, 22 USO clubs have separate facilities for Negroes and whites within the club. In addition, 23 USO clubs exclude Negroes

from dances but serve them otherwise. In sum, 89 of the 139 USO clubs practice some form of racial segregation or discrimination.

USO leases space in 11 federally-owned buildings, of which 8 are in the South and Southwest. Only 3 of these USO facilities operate without some form of segregation or discrimination.

Policy #22, approved by USO Executive Committee on December 12, 1951 provides as follows:

USO services consistent with the established integration policy of the Department of Defense are cordially extended to all members of the Armed Forces of the United States as extensively as our resources permit.

The member agencies of USO, because of their religious and ethnical beliefs and traditions, and further, because of their profound convictions regarding the intrinsic value and inherent dignity of human personality, believe that equal rights and opportunities should be accorded to all men and women. USO reaffirms its belief that neither patriotism nor religion can make distinctions in human dignity predicated on the basis of race, creed, color or national origin. It adopts the principle of non-segregation as normal in its activities.

USO recognizes the importance of good community relations and will always endeavor to assist a community in the fulfillment of its responsibilities for the welfare of all the members of our Armed Forces who happen, for the time being, to be located in the area.

USO has made some effort to require integration and some progress has been made. Local laws and a fear of losing

local UGP support are among the obstacles. Integrated dancing presents an especially difficult problem. Negroes serve on some USO local committees. There is apparently some recognition of the national policy which has been brought to the attention of USO by the Secretary of Defense. If complete integration is required (with or without dances in the program) it is probable that some USO facilities in the South would close rather than integrate.

Obviously the USO situation presents a specific problem for the President's Committee on Equal Opportunity in the Armed Forces. The above information, developed by the Civil Rights Commission staff, will have to be checked for accuracy and completeness. I plan to bring this problem sharply to the attention of the Committee at its mid-January meeting and will soon be having conversations with the executive staff of USO. Prompt clarification of the White House and Defense Department position would seem very appropriate.

G.A.G.

Form No. DJ-1a
(Rev. 4-1-61)

DEPARTMENT OF JUSTICE
ROUTING SLIP

TO	NAME	BUILDING AND ROOM
1.	Mr. Marshall	
2.	Mr. Roar	
3.		
4.		
5.		

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| <input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____ | | |
| <input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____ | | |

REMARKS

The projected deficit of \$91,000 plus does not take into account some \$37,000 which we should get from the supplemental appropriation which the Dept expects to get from the new Congress to take care of the pay raise costs.

FROM	BUILDING, ROOM, EXT.	DATE
WJH		11-30

The New York Times

WASHINGTON BUREAU
1704 K STREET, N.W.
WASHINGTON, D. C.

November 28, 1962

Hon. Burke Marshall
Assistant Attorney General
Department of Justice
Washington, D. C.

Dear Mr. Marshall,

I have just received a copy of your speech of November 20 to the Yale Law School Association of Washington. So far as that audience is concerned, I feel sure it will agree with your rebuttal of my criticism that you mentioned in the first sentence. That is because of the clarity and persuasiveness of your account, and its support by the technicalities of procedure.

But my criticisms were not as you stated them. The one touching Department of Justice procedure was that, contrary to the Attorney General's statement on television on October 1 that "the Government entered this case only a few days ago," it had, as you stated on page ten of your speech, "entered" the case on August 31, as requested by Justice Black on a much earlier date. My second criticism was addressed only to the procedure of the Supreme Court itself, not the Department. This is an important distinction lost in your first-sentence use of the omnibus words "the federal Government."

I have neither the facilities nor disposition to try to present to the Yale Law School Association the point I sought to make and which, in my opinion, remains valid. This point I have tried to explain in the two enclosures herewith.

Yours faithfully,

Arthur M. Krook

Encl.

miss.

The New York Times

November 30, 1962

Mr. Arthur Krock
The New York Times
1701 K Street, N. W.
Washington, D. C.

Dear Mr. Krock:

It was most kind of you to write to me on the question of the fullness of the legal proceedings in the Meredith case.

I believe we will simply have to remain in disagreement.

It is hard for me to believe -- whatever else is true -- that the actions of the Governor or of the mob or of the individuals who came to Oxford to participate in insurrection against the United States would have been different if the Supreme Court had been able to take the formal step of finally denying certiorari before September 30.

In addition, I believe that the fact that the State was a party to the case should be an additional reason for compliance with the orders of the Court, rather than the opposite.

I do greatly appreciate hearing from you.

Very truly yours,

Burke Marshall
Assistant Attorney General
Civil Rights Division

misc.

November 28, 1962

Professor Herbert Wechsler
The Law School
Columbia University
New York 27, New York

Dear Professor Wechsler:

Your brief and case are most*
fascinating, and I am grateful to you
for the opportunity to see the petition.
I understand the Solicitor General has
informed you of our official decision
that there is no reason -- particularly
in view of the excellence of some of the
counsel for the Times -- for us to
participate in the matter.

I wish you success.

Many thanks,

Burke Marshall

HERBERT WECHSLER
THE LAW SCHOOL, COLUMBIA UNIVERSITY
NEW YORK 27, N. Y.

November 20, 1962


Honorable Burke Marshall
Assistant Attorney General of the United States
Department of Justice
Washington, D.C.

Dear Mr. Marshall:

I am sending you herewith a copy of the printed
petition for writ of certiorari in The New York Times v.
Sullivan.

With cordial regard, I am,

Faithfully,



Herbert Wechsler

Enclosure

*of the enclosure
from the
enclosed for
the Times
for not to participate
in the matter.
I wish you
success.
My thanks*

*Dear Professor Wechsler:
Your brief and case are most
fascinating, and I am grateful to
you for the opportunity to see the petition.
I understand the Solicitor General has
informed me of our official decision that
there is no review — particularly in view*


OPTIONAL FORM NO. 10
5010-107

UNITED STATES GOVERNMENT

Memorandum

TO : Burke Marshall

DATE: November 6, 1962

FROM:  Ed Guthman

SUBJECT:

I think you probably may wish to draft the answer to
Roy Wilkins. If you do not, I will be glad to do so.

misc.

November 27, 1962

Honorable Frank M. Johnson, Jr.
District Judge
Middle District of Alabama
P. O. Box 35
Montgomery, Alabama

Dear Judge Johnson:

Many of us here have read with great interest and appreciation your speech to the Atlanta Bar. I know that it came from your heart. Both the Attorney General and I appreciate your sending it up here.

In return, I thought you might be interested in a speech which is related that I gave here last week to an audience of lawyers.

With my best regards,

Burke Marshall

Enclosure

miss.

November 27, 1962

Mrs. Jane Lee J. Eddy
Executive Secretary
Taconic Foundation, Inc.
666 Fifth Avenue
New York 19, New York

Dear Jane Lee:

Thanks for the Committee for
Constitutional Government brochure.
This is a pretty active outfit, as it
of course has a constitutional
right to be. It is not, however,
my first choice for contribution.

Best regards,

misc

November 27, 1962

Mr. Grover W. Emsley
Executive Vice President
National Association of
Mutual Savings Banks
60 East 42nd Street
New York 17, New York

Dear Mr. Emsley:

The Attorney General has asked me to thank you for sending him the copy of the statement by NAMSB on President Kennedy's housing order. You may be assured that both the President and the Attorney General are very appreciative of this expression of cooperation.

Very truly yours,

Burke Marshall

FROM
DIRECTOR OF PUBLIC INFORMATION
OFFICE OF THE ATTORNEY GENERAL
to
Official indicated below by check mark

MEMORANDUM

- | | |
|---|-------------------------------------|
| Attorney General | |
| Deputy Attorney General | |
| First Assistant Deputy Attorney General | |
| Executive Office For U. S. Attorneys | |
| Executive Office For U. S. Marshals | |
| Solicitor General | |
| Executive Assistant to the Attorney General | |
| Assistant Attorney General, Antitrust | |
| Assistant Attorney General, Tax | |
| Assistant Attorney General, Civil | |
| Assistant Attorney General, Lands | |
| Assistant Attorney General, Criminal | |
| Assistant Attorney General, Office of Legal Counsel | |
| Assistant Attorney General, Internal Security | |
| Assistant Attorney General, Civil Rights | <input checked="" type="checkbox"/> |
| Administrative Assistant Attorney General | |
| Budget and Accounts Office | |
| Records Administration Office | |
| Personnel Office | |
| Administrative Services Office | |
| Supplies and Printing Section | |
| Transcription Section | |
| Director, FBI | |
| Assistant to the Director - Room 5640 | |
| Director of Prisons | |
| Director, Office of Alien Property | |
| Commissioner, Immigration and Naturalization | |
| Pardon Attorney | |
| Parole Board | |
| Board of Immigration Appeals | |
| Librarian | |

*Dr. Dr. Enslly,
The doc has not
yet to thank you for
making letter to
of the statement by
NAMESB in President
Kennedy's house
order. You may be asked
that with the President
and the Attorney General
very important of this
disposal*

misc.

November 27, 1962

Miss Barbara Moffett
American Friends Service
Committee
160 North 15th Street
Philadelphia 2, Pennsylvania

Dear Miss Moffett:

Mr. Harold Fleming of the
Potomac Institute asked that we
forward the enclosed folder of
reports on the Quaker Mission to
Mississippi. This report is
identified as "#24".

Sincerely,

(Mrs.) Linda K. Stores
Secretary to Mr. Marshall

Enclosure
cc: Mr. Harold C. Fleming

AE POTOMAC INSTITUTE, INC.

1801 Eighteenth Street, N.W. • Washington 6, D.C. • DEanur 2-6566

HAROLD C. FLEMING
EXECUTIVE VICE-PRESIDENT

November 6, 1962

Mr. Burke Marshall
Assistant Attorney General
Civil Rights Division
Department of Justice
Washington 25, D. C.

Dear Burke:

I am sure you know about the Quaker Mission to Mississippi which the American Friends Service Committee organized in the wake of the rioting. Barbara Moffett left me a copy of the "confidential" reports of the participants in the Mission.

While there may not be much in here that is new to you and there is considerable repetition in the several reports, still I thought you might want to glance through this account of their interviews and their conclusions about possible things to do.

When you have finished with it, please have your secretary mail it to Barbara Moffett at the American Friends Service Committee, 160 North 15th Street, Philadelphia 2, Pa.

All the best.

Sincerely,

Harold
Harold C. Fleming
Executive Vice President

*I like Dan:
You might want to
show through this. Please
return. J*
HCF:EMA
Enc.

Department of Justice
Washington

November 13, 1962

MEMORANDUM FOR THE ATTORNEY GENERAL - MONDAY REPORT

The following are the matters of significance in the Division.

1. Two Negro policemen were convicted under §242 of Title 18 for the beating of a Negro prisoner in Gary, Indiana. This was the second set of convictions under these criminal statutes this year.

2. On November 6, we filed a brief with the Court of Appeals in the contempt case against Theron Lynd, the voting registrar of Forrest County, Mississippi. The brief asked that the Court commit Lynd to 45 days in jail, plus a \$300 fine. This is the maximum which the Court can impose for contempt of a court order under the 1957 and 1960 Civil Rights Acts. The brief also asked that the Court require Lynd to take specific action in the future.

3. On November 6, I requested Barefoot Sanders to initiate negotiations with the school officials in Abilene, Amarillo, Burkburnett, and Mineral Wells, Texas, to obtain voluntary desegregation of impact area schools on the bases there.

4. During the week, we asked for voting records in Claiborne, Le Flore, and Amite Counties, Mississippi.

5. During the week I initiated negotiations with the Attorney General of Florida to obtain desegregation on a voluntary basis of the impact area school districts in Okaloosa and Bay Counties, Florida.

6. On November 7, Solicitor General Cox argued the government's position in the sit-in cases. In accordance with our brief, he told the Court that it was unnecessary

Handwritten note:
If not told about things
Cox is

for the Court to decide the simple question whether it violated the Fourteenth Amendment for a state to enforce through criminal trespass prosecution a purely private decision of a restaurant or a department store owner not to serve Negroes. Our argument was that in the cases before the Court -- from New Orleans, Birmingham, Greenville, South Carolina, and Durham, North Carolina -- state action preceded and to a significant degree in a legal sense caused the refusal of the store owners to serve Negroes. In another case involving Glen Echo Amusement Park, we argued that the Court need not reach the basic question because the convictions violated the Fourteenth Amendment anyway in view of the fact that the owner of the property had also at his command the authority of the state through the state's deputization as a sheriff of an employee of the park.

7. Roughly 70 complaints were received by the FBI in connection with the November 6th election. In all cases where the complaints suggested possible violations of federal law, investigations have been instituted.

8. A picture appeared in the Washington Daily News on November 7, purporting to show voters being paid off in Chicago on election day. The news photographer is being interviewed and pertinent leads will be followed to determine whether a violation of 18 U.S.C. 597 is involved.

9. Nineteen out of 59 Negro voters were rejected after challenge by the Republican poll watcher at a polling place in Phoenix, Arizona, on the ground that they could not meet the state's literacy test. Some violence broke out at the poll. We are awaiting the FBI's investigative report.

9-A. United States Attorney Francis C. Whelan, Los Angeles, California, has advised that the full facts concerning the political expenditures by the Dr. Ross Pet Food Company (Lewis Food Company) will be presented to the federal grand jury in Los Angeles immediately after the November 6, 1962, general election. The FBI investigation reveals that the Lewis Food Company, a closed corporation, made substantial expenditures for political advertising relating to the voting records of the California members of the United States Congress in connection with the June 5, 1962, primary election, in violation of the federal election laws. (18 U.S.C. 610)

10. Out of a total vote of about 270,000 ballots cast in the Senatorial race November 6 between McGovern and Bottum, McGovern's tally is only about 144 ahead of Bottum's. The ballots are to be re-counted. Apprehension has been expressed about the possibility of tampering. McGovern asked the Senate Subcommittee on Privileges and Elections to send observers. James Duffy, Chief Counsel of the Committee, is scheduled to arrive in Rapid City November 9. Both sides have made charges of irregularities in the voting; but no complaint of a federal violation has as yet been made.

11. A preliminary investigation by the FBI has been requested of a possible violation of 18 U.S.C. 612 in Detroit in connection with the circulation of unlabeled derogatory circulars against Congressman O'Hara and Neil Staebler, Democratic Congressional candidates. The complainant, Congressman O'Hara, has indicated that Republican headquarters in Detroit are the source of the material.

12. On October 15 Judge Dawkins rendered judgment for the Government in the Shreveport airport case. In a memorandum opinion he expressed the view that segregation of the restroom and restaurant facilities imposed an unconstitutional burden upon interstate commerce and violated the non-discrimination provision of the Civil Aeronautics Act. He has given us fifteen days to submit proposed findings, conclusions, and a decree.

13. An FBI investigation has been requested concerning the mailing of a scurrilous letter directed against Sidney Yates, candidate for the United States Senate from Illinois, which had been mailed to all newspapers in southern Illinois, possibly in violation of 18 U.S.C. 612.

14. A preliminary investigation has been requested of a possible violation of 18 U.S.C. 612 arising out of the circulation of unlabeled campaign literature against Glenn Cunningham, Republican candidate for re-election to Congress in the 2nd Congressional District of Nebraska.

15. Alfred Catalfo, Jr., Democratic candidate for the United States Senate from New Hampshire, has complained that U.S. Senator Norris Cotton, Republican candidate for re-election to the Senate, and five secret committees have violated the Federal Corrupt Practices Act by failing to file reports of their campaign contributions and expenditures. In accordance with Department practice not to institute investigations into possible violations of the filing provisions of Title 2 in the absence of a request from the Clerk of the House or Secretary of the Senate, we have referred copies of the correspondence from Mr. Catalfo to each of the above officials.

16. The FBI has been asked to make an inquiry concerning the publication and distribution of a derogatory political letter relating to the "medicare program" and supporting the re-election of Congressman Glenn Cunningham of Nebraska. The letter addressed to "Dear Patient" and signed "Your Doctor" was received by an Omaha resident in an envelope containing a statement from her doctor. It is conceivable that the information developed by the Bureau will disclose a violation of 18 U.S.C. 612 (unlabeled literature).

17. Preliminary investigation is being made of possible violations of 18 U.S.C. 612 in the Congressional campaign in the Tenth District of Virginia. Certain unlabeled material is alleged to have been circulated against the Republican incumbent, Joel T. Broyhill. Since the election, Broyhill has stated that he no longer thinks the investigations should be continued.


Burke Marshall
Assistant Attorney General
Civil Rights Division

DEPARTMENT OF JUSTICE
ROUTING

*Miss Low Oberdorfer -
For your info. please return
JAC*

WFORD

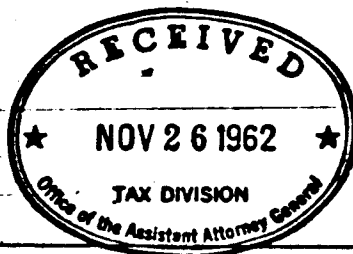
TELEPHONE
322 3310

NAME	BUILDING AND ROOM
r. Oberdorfer	

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REMARKS

November 26
For your info. Please return.
BM



is interested in the
at to Senator Hill.

is clear that the
s down here in
ans in reaction,
eral Courts. Perhaps
show this reflection
a higher-ups in our

3m

FROM		
NAME	BUILDING, ROOM, EXT.	DATE

Sincerely your friend,

Jerome A. Cooper

Jerome A. Cooper

JAC:jb

P. S. In voting the Democratic ticket,
I am frank to say in many respects I had to
hold my nose.

COOPER, MITCH & CRAWFORD
ATTORNEYS AT LAW
SUITE 1000, BANK FOR SAVINGS BUILDING
BIRMINGHAM 3, ALABAMA

THOMAS MITCH
WILLIAM MITCH
THOMAS CRAWFORD JR.
GEORGE C. LONGSHORE

TELEPHONE
282-3330

*Miss Lowbecker -
For your
info. please return
JAC*

November 20, 1962

Mr. Burke Marshall
Assistant Attorney General
Attorney General's Office
U. S. Department of Justice
Washington, D. C.

Dear Burke:

I thought you might be interested in the enclosed letter which I have sent to Senator Hill.

To some of us, it seems clear that the Democrats are kidding themselves down here in attempting to outdo the Republicans in reaction, racism and rejection of the Federal Courts. Perhaps you may have an opportunity to show this reflection of a feeble voice to some of the higher-ups in our national party.

With warm regards, I am

Sincerely your friend,

Jerome A. Cooper
Jerome A. Cooper

JAC:jb

P. S. In voting the Democratic ticket, I am frank to say in many respects I had to hold my nose.

514 North 9th St.
Oxford, Miss.

September 27, 1962

Mr. Burke Marshall
Department of Justice
Washington, D. C.

Dear Mr. Marshall:

Most faculty members here hope that you will not compromise or give up. We are ready to teach Mr. Meredith when he arrives.

We have watched the tragedy of a University being destroyed by total disregard of the importance of education in a democratic system. We would like to see a real attempt made to uphold the principles of law against those who violate them.

Sincerely yours,

Russell H. Barrett
Russell H. Barrett
Professor of Political Science

*Int. Sec. 8
copy to Stuart
M. J. Barrett
G. A. & P. Barrett
Mr. Marshall
File
J.S.*

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Gen. Lit. Sec.

Ret. 4 - RM 1145

Burke Marshall
Assistant Attorney General
Department of Justice
Civil Rights Division

WASHINGTON 25, D. C.
NOVEMBER 26, 1962

HONORABLE MACOM L. WEAVER
UNITED STATES ATTORNEY
354 FEDERAL BUILDING
BIRMINGHAM 3, ALABAMA

WILL ARRIVE HUNTSVILLE 11:36 A.M. WEDNESDAY MORNING

UNITED FLIGHT 279. SORRY NO EARLIER PLANE.

REGARDS,

BURKE MARSHALL

RECEIVED
NOV 27 1962
FBI - BIRMINGHAM

Mr. Marshall

Nicholas deB. Katzenbach
Deputy Attorney General

November 21, 1962

JD:lvw

John Doar
First Assistant
Civil Rights Division

Chronology of Events on September 30, 1962, Oxford,
Mississippi

Attached is a Chronology from 1:00 p.m. to 8:00 p.m. on September 30. I have delivered copies to Messrs. Oberdorfer, Schlei, Guthman, Dolan, Reis and Markham, and have asked them to correct or fill in their chronology where they can.

There are three things that I wish to call to your attention:

(1) There are indications that Yarborough had already called off the state police during the time that he was conferring with you in Clegg's office. The FBI monitoring the state highway patrol radio reported this to our base radio. Some witnesses report that the state police seemed to have thinned out between 7:00 and 8:00 p.m. in front of the Lyceum. The pictures that I have studied seem to indicate that the police had thinned out. Any information that we can gather on this seems to me to be important.

(2) I do not have a clear picture of the time of arrival of all of the marshals, border patrolmen and prison guards at Oxford nor their movement from the airport to the University. I think we should be clear on this.

(3) I understood that on Friday a plan was developed for entering the University if resistance was encountered. I have been unable to locate that plan.

CHRONOLOGY OF EVENTS
1:00 P.M. - 3:00 P.M.
Sunday, September 30, 1962

1:00 P.M.

Marshall calls Dear at Milligan Airbase. Advised that marshals to take over campus that afternoon. Should be prepared to leave by helicopter on very short notice. As many marshals to be moved at one time as there are planes. Some of helicopters can land at campus. Others at airport. There should be cars wait- at airport. Dear advised Oberdorfer of these instructions. (Dear)

1:30 P.M.

Dolan leaves Milligan for fish camp with reconnaissance force. (Dolan)

3:00 P.M.

Dolan meets Colonel Birdson at Alumni House. (Dolan)

3:30 P.M.

Five Border Patrol planes with 125 marshals and approximately 70 border patrolmen arrive at Oxford airport.

3:50 P.M.

Dolan leaves for airport with Colonel Birdsong. (Dolan)

4:00

Katzenbach, Schlei, Guthman, Reis, Markham arrived at Oxford. Marshals instructed to load in army 6 x 6. All but 73 loaded.

4:10 P.M.

Dolan and Birdson arrive at airport entrance road to meet 4 6x6's with marshals. Dolan and Birdsong lead them into campus via sorority row. Katzenbach and party in convey.

4:15 P.M.

Marshals arrive at Lyceum. Katzenbach meets Birdsong and Clegg and obtains permission to dismount marshals. Marshals dismount.

4:26 P.M.

Marshals lined up in front of and on north side of Lyceum on curb. Groups of state police in street. Crowd small. Marshall's chain of command-- 3 group leaders--Daley on north; Butler in front of Lyceum; Forsht at Southeast corner; Cameron second in command; McShane in command. (Life photo)

4:33 P.M.

Katzenbach calls Assistant Attorney General from Clegg's office [Guthman] All justice department officials inside with Clegg, Ellis and Love. Katzenbach and Clegg discuss housing. Clegg provides Katzenbach with key and directions. Katzenbach tells McShane to bring in rest of marshals from airport and to take detail to Baxter Hall to secure it.

4:50 P.M.

Two plane loads of border patrolmen arrive at airport. OSERDORFER in first plane.

5:00 P.M.

Katzenbach calls Attorney General and tells Attorney General that Meredith should be put on campus by car.

5:10 P.M.

Marshall calls Dear at Milligan and says to have Meredith on field at Oxford at 5:30 p.m.

5:10 P.M.

Crowd somewhat larger in front of Lyceum.
No disturbance. [Life photo]

5:15 P.M.

Marshall's lined up at airport.

5:20 P.M.

Aerial view of Lyceum shows crowd, state
police and line of marshals around east
and north side of Lyceum. [Life photo]

5:20 P.M.

Fifteen of 30 border patrol cars at airport.
Fifteen cars west of airport.

5:29 P.M.

Border patrol planes take off from Oxford to
go to Milligan to get prison guards.

5:30 P.M.

Witnesses to Lyceum riot with state police at Lyceum.
We had been advised by Lyceum police that
there would be trouble.

5:30 P.M.

Katzenbach and Guthman leave for airport
from Lyceum.

Lyceum police place a line of marshals
around Lyceum. Marshals in Lyceum
as we are waiting.

5:45 P.M.

Katzenbach and Guthman arrive at airport.
Second group of marshals had landed and were
awaiting instructions.

7:10 P.M.

- 4 -

5:50 P.M. Meredith in Border Patrol plane over campus,

6:05 P.M. Meredith lands at airport.

6:15 P.M. Convoy with Meredith enter campus. Highway Patrol car in lead; one truck with 15 marshals 2 Border Patrol cars; Border Patrol car with Katzenbach, Guthman, Doar, Meredith, truck with 15 marshals. Border Patrol car in rear. [Log]

6:30 P.M. Meredith at Baxter Hall.

6:40 P.M. Katzenbach, Guthman, Doar leave for Lyceum to discuss registration of Meredith at 8:00 A.M. next morning.

7:00 P.M. Marshal Whiteman hit with large piece of concrete. He had been ordered to Baxter earlier; he stayed there until Meredith came. He then got in truck and started to come back to Lyceum. Left side of face fractured. Left sinus fractured. Eight stitches. [The place where this occurred not established. Presumably in front of Lyceum as he was alighting.]

7:15 P.M. Yoder car attacked on circle northeast of Lyceum.

7:13 P.M.

Yarborough, McLaurin and Birdsong approach Dear in front of Lyceum and ask to see Katzenbach -- go to Clegg's office.

7:23 P.M.

FBI advise Base that all Mississippi Highway Patrol ordered to pull out. [Log]

7:34 P.M.

FBI advises that Highway Patrol pulled out [Log]

7:40 P.M.

Yarborough, Katzenbach and McLaurin leave Clegg's office to talk to troops.

7:40 P.M.

Dear calls for radio communication at Baxter at McShane's instruction.

7:45 P.M.-
7:55 P.M.

Gas fired by marshals. [Radio Log has 7:45 written in by Koepfich. Most newspaper men and Marshall say 7:55 - 7:58. LIFE pictures show gas at 7:57.]

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

misc.

File

TO : Assistant Attorney General Burke Marshall

DATE: November 20, 1962

FROM : Ed *gll*

SUBJECT:

Tony Lewis has gone away for 9 days. I think we should tell him that this report is either untrue or highly exaggerated. I would also tell him that we would be glad to check on the accuracy of any such reports.

I think the Times should come up with specific incidents and complaints. Otherwise, it's like "When did you stop beating your wife?" It looks like with Martin Luther King and others this may be a line of attack which we are going to have to field so we probably should get our feet under us.

DEPARTMENT OF JUSTICE
ROUTING SLIP

NAME	BUILDING AND ROOM
1. Mr. [illegible]	
2.	
3.	
4.	
5.	

☐ SIGNATURE
☐ APPROVAL
☐ SEE ME
☐ RECOMMENDATION
☐ ANSWER OR ACKNOWLEDGE ON OR BEFORE _____
☐ PREPARE REPLY FOR THE SIGNATURE OF _____

☐ COMMENT
☐ NECESSARY ACTION
☐ NOTE AND RETURN
☐ CALL ME

☐ PER CONVERSATION
☐ AS REQUESTED
☐ NOTE AND FILE
☐ YOUR INFORMATION

REMARKS

Nov. 16, 1962

Ed:

There is nothing to this. What shall we tell Tony?

BM

FROM NAME	BUILDING, ROOM, EXT.	DATE

Ed: There is nothing to this. What shall we tell Tony?

The New York Times
WASHINGTON BUREAU
1701 K STREET, N.W.
WASHINGTON, D.C.

Nov. 14, 1962

Dear Burke:

Here are the letter and
memo I mentioned to you this evening.

Best regards.

Sincerely yours,

Tong

*Ed Galtman:
There is nothing to be
done about it. Tell Tony?
Joe*

Assistant Attorney General Burke Marshall

November 20, 1962

Ed Guthman

Tony Lewis has gone away for 9 days. I think we should tell him that this report is either untrue or highly exaggerated. I would also tell him that we would be glad to check on the accuracy of any such reports.

I think the Times should come up with specific incidents and complaints. Otherwise, it's like "When did you stop beating your wife?" It looks like with Martin Luther King and others this may be a line of attack which we are going to have to field so we probably should get our feet under us.

misc.

November 20, 1962

Mr. Spencer Jourdain
Kimmel/Marion Dormitory
305 Waverley
Syracuse, New York

Dear Mr. Jourdain:

At Mr. Marshall's request I am writing to let you know his plans regarding the Cornell lecture date spoken of earlier this year when you were in the office.

Mr. Marshall is scheduled to address the Cornell Law School at 3:15 P.M., on the 7th day of December; this will, of course, be at the School in Ithaca.

Sincerely,

(Mrs.) Linda E. Stores
Secretary to Mr. Marshall

misc.

November 16, 1962

Mr. Wade M. Mackie
American Friends Service
Committee, Incorporated
1608 Government Street
Baton Rouge 2, Louisiana

Dear Mr. Mackie:

I will be glad to see you
when you are here. Please call my
secretary and make an appointment.

Very truly yours,

Burke Marshall



AMERICAN FRIENDS SERVICE COMMITTEE

Baton Rouge Office

1608 Government Street

Baton Rouge 2, La.

DI 2-2157

November 14, 1962

Assistant Attorney General Burke Marshall
Civil Rights Division
Justice Department
Washington, D. C.

Dear Burke Marshall:

I will be in Washington November 27-30 attending a conference and I would like to have an appointment with you sometime during this period if it is possible, to review with you some civil rights matters in the Baton Rouge and Louisiana areas.

Yours truly,

Wade M. Mackie

Wade M. Mackie

WM/c

Dear Mr. Mackie:

I will be glad to see you when you are here. Please call my secretary and make an appointment.

Very truly yours

misc.

Herbert J. Miller, Jr.
Criminal Division

November 15, 1962

Burke Marshall
Civil Rights Division

I have the following information from Russell Sugarmen, a lawyer in Memphis. He will not want to reveal the source of his information, so that investigation will have to start in some other fashion.

A white resident of Memphis named Sam Odell (3430 Highway 78 in Memphis) is reported to have bought 30 cases of rifle ammunition from the Dixie Mart in Memphis and transported it to Oxford sometime before the riot there. Mr. Odell is further reported to have taken guns to Oxford since the riot. He was on the campus the night of the riot. He has a background of being a dangerous racial agitator.

I thought you might want to have the Bureau look into this.

CC: J. Dear

Office Memorandum • UNITED STATES GOVERNMENT

TO : Burke Marshall
Assistant Attorney General
Civil Rights Division
FROM : John Doar
First Assistant

DATE: November 14, 1962

JD:lvw 8421
72-3-31

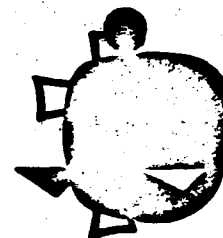
SUBJECT: Filing of Complaint in Marengo County, Alabama

As I told you Jansen wishes to negotiate with the Marengo people and therefore we have prepared this letter for your signature. We are also sending him the Complaint and giving him two weeks to negotiate.

A year ago Jansen persuaded us not to file suit in Monroe County with the assurance that the Monroe people were willing to act fairly and that he would keep on top of it. He has not done so but tells me that he has arrangements to photograph on Friday. It seems to me that this would be a good time to write the type of letter I propose and which is attached.

Southern Field Service
National Catholic Conference
for Interracial Justice

Baronne Street • New Orleans 18, Louisiana • 523-2901



November 12, 1962

Mr. Burke Marshall
Assistant Attorney General
Civil Rights Division
Department of Justice
Washington 25, D. C.

Dear Burke:

You will find enclosed an editorial from Catholic Action, the official organ of the Archdiocese of New Orleans commenting on amendment number nine which was passed recently. Do you think that this is primarily a "scare" tactic that the segregationists are using or do you think there is much chance of this materializing. I realize that you could only give an educated guess on this matter but I would certainly appreciate whatever opinion you might want to offer.

Yours sincerely,

Henry Cabot
Henry Cabot

EC/mv

encl.

*Dear Henry:
Thank you for the letter, but
you forgot to enclose the editorial.
Can you find another copy so that
I can respond?
Best regards,*

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Henry A. Cabine, Jr.

Miss

**National Catholic Conference
for International Justice**

November 16, 1962

**Mr. Henry Cabirac
1046 Baronne Street
New Orleans 13, Louisiana**

Dear Henry:

**Thank you for the letter, but
you forgot to enclose the editorial.
Can you find another copy so that I
can respond?**

Best regards,

*Dear Henry
Thank you for the letter, but
you forgot to enclose the editorial.
Can you find another copy so that
I can respond?
Best regards,*

DEPARTMENT OF JUSTICE

ROUTING SLIP

Misc

TO	
NAME	BUILDING AND ROOM
1. Mr. Marshall	
2.	

☐ SIGNATURE
☐ APPROVAL
☐ SEE ME
☐ RECOMMENDATION
☐ ANSWER OR ACKNOWLEDGE ON OR BEFORE _____
☐ PREPARE REPLY FOR THE SIGNATURE OF _____

☐ COMMENT
☐ NECESSARY ACTION
☐ NOTE AND RETURN
☐ CALL ME

☐ PER CONVERSATION
☐ AS REQUESTED
☐ NOTE AND FILE
☐ YOUR INFORMATION

REMARKS

Burke:

There is no easy answer. I guess just keep working away. Get Negroes better jobs so they will have some money.

John

FROM		
NAME	BUILDING, ROOM, EXT.	DATE

DEPARTMENT OF JUSTICE
ROUTING SLIP

Misc

NAME	BUILDING AND ROOM
Mr. Doar	

- | | | |
|---|---|---|
| <input type="checkbox"/> SIGNATURE | <input type="checkbox"/> COMMENT | <input type="checkbox"/> PER CONVERSATION |
| <input type="checkbox"/> APPROVAL | <input type="checkbox"/> NECESSARY ACTION | <input type="checkbox"/> AS REQUESTED |
| <input type="checkbox"/> SEE ME | <input type="checkbox"/> NOTE AND RETURN | <input type="checkbox"/> NOTE AND FILE |
| <input type="checkbox"/> RECOMMENDATION | <input type="checkbox"/> CALL ME | <input type="checkbox"/> YOUR INFORMATION |
| <input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____ | | |
| <input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____ | | |

REMARKS

11/14/62

John:

How are we going to overcome these problems?

~~① [scribble]~~
~~② [scribble]~~
~~③ [scribble]~~

BM *There is no
easy answer. I
guess just keep
working away. Get
Nixon better paid so
they will have some money.*

FROM

NAME

BUILDING, ROOM, EXT. DATE

November 14, 1962

**John P. Nelson, Jr., Esquire
Fille, Nelson and Limes
702 Gravier Building
335 Gravier Street
New Orleans 12, Louisiana**

Dear Jack:

Thank you for your thoughtful and careful letter. We will have to press for some solution on this. I hope to be at the Council meeting in Atlanta to discuss it.

Best regards,